

Juvenile Probation's Role in Transition

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Objectives



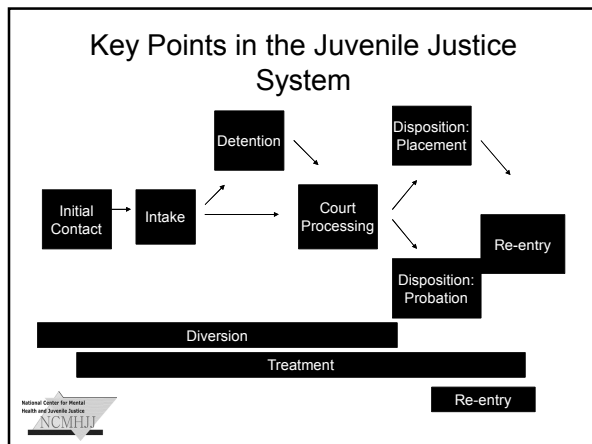
- Within Juvenile Justice there is an overrepresentation of youth with disabilities.
- A brief history of the juvenile justice system and juvenile vs. adult crime.
- The bulk of the discussion will be addressing barriers to transition including:
 - confidentiality
 - parens patriae
 - crime theories and the use of punishment
 - Philosophies of hug & heal or nail & jail
- We will get into best practices in transitioning youth involved with the courts and those coming from secure care settings. You will leave with a better understanding of the courts and probation and how to best transition youth involved with the justice system.

History of Juvenile Justice



- Illinois Juvenile Court Act of 1899 formalized a special court
- Arizona Juvenile Court Act of 1907, the Juvenile Court was established.
- In 1947, the Maricopa County Board of Supervisors financed a new Detention Home at 3125 West Durango
- 1996, the voters passed Proposition 102, which made it easier to prosecute juveniles in the adult court system; somewhat changing the population juvenile probation officers supervise

http://courts.maricopa.gov/juvenile/docs/JPSstrategic_Plan.pdf



Childhood Risk Factors for Child Delinquency and Later Violent Juvenile Offending

The following risk factors are discussed in this Bulletin.

| | |
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| Individual factors <ul style="list-style-type: none"> • Early antisocial behavior • Emotional factors such as high behavioral activation and low behavioral inhibition • Poor cognitive development • Low intelligence • Hyperactivity | <ul style="list-style-type: none"> • Family structure • Large family size |
| Family factors <ul style="list-style-type: none"> • Parenting • Maltreatment • Family violence • Divorce • Parental psychopathology • Familial antisocial behaviors • Teenage parenthood | Peer factors <ul style="list-style-type: none"> • Association with deviant peers • Peer rejection |
| | School and community factors <ul style="list-style-type: none"> • Failure to bond to school • Poor academic performance • Low academic aspirations • Living in a poor family • Neighborhood disadvantage • Disorganized neighborhoods • Concentration of delinquent peer groups • Access to weapons |

Source: This list is largely based on R. Loeber and D.P. Farrington, eds. 2001. *Child Delinquents: Development, Intervention, and Service Needs*. Thousand Oaks, CA: Sage Publications, Inc.

Probation

- Allows youths the opportunity to serve their sentences under community supervision and to improve the delinquent's behavior: rehabilitate
- Supervision is the essence of probation
- To protect society and the community from delinquency
- To impose accountability for the offenses committed
- To equip juveniles with the competencies they need to live productively and responsibly in the community
- If a formal or informal hearing is needed, if informal fails then they must file a petition
- The juvenile court judge relies on the word of the probation officer to determine if a child is dangerous to the community

Conditions of Probation

- Participate in academic or vocational programs
- Pay a fine
- Make restitution
- Perform community service
- Participate in a work program
- Ordered alcohol or drug treatment
- Ordered family group counseling
- Ordered to a placement



Different sanctions

- Diversion/ early intervention (teen court)
- Drug Court
- Standard Probation
- Intensive supervision (JIPS)
- Electronic monitoring (JETS)
- Placement



Confidentiality



- Confidentiality is designed to protect the privacy of the youth and family
- Understanding FERPA, HIPPA, state confidentiality laws, statutes, and policies about what agencies can share is vital but often misunderstood.
- Ethical issues vs. Legal issues
- Excellent site:
<http://dept.fvtc.edu/childprotectiontraining/states.htm>

The Legal Context of the Juvenile Court

The doctrine of **parens patriae** served as the foundation for the juvenile court...

They are found to be a "Ward of the Court".



Parens patriae is Latin for "parent of the nation". In law, it refers to the public policy power of the state to intervene against an abusive or negligent parent, legal guardian or informal caretaker, and to act as the parent of any child or individual who is in need of protection.

http://en.wikipedia.org/wiki/Parens_patriae

Crime theories and use of punishment

- Annie E. Casey Foundation <http://www.aecf.org/>
– Since its inception in 1992, JDAI has repeatedly demonstrated that jurisdictions can safely reduce reliance on secure detention.
- Evidence Based Programs –Family therapy Cognitive restructuring, Motivational Interviewing, etc



CORE ELEMENTS OF EVIDENCE-BASED PROGRAMMING

(ANDREWS & BONTA, 1998)

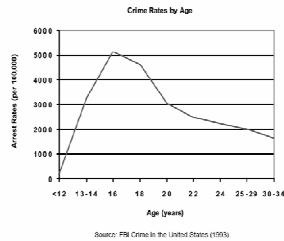
| Core Elements | |
|--|--|
| Target Criminogenic Factors | <ol style="list-style-type: none"> 1. Regular exposure to anti-social/pro-criminal attitudes, beliefs, values. 2. Regular exposure to criminal associates and isolation from pro-social associates. 3. High degree of psychopathy and impulsivity. 4. Chronic history of anti-social behavior. 5. Regular exposure to violence, conflict, trauma, abuse in family. 6. Poor school performance and lack of degree. 7. Lack of marketable job skills. 8. Heavy use of alcohol and drugs. |
| Target Risk, Need and Readiness to Change | Evidence shows that placing low risk youth in maximum security increases criminal values and behavior. |
| Effective Programs Have Sufficient Duration and Dosage to Change Criminal Behavior | Cognitive behavioral therapy, cognitive behavioral skills development, 4 months in duration, majority of day is spent in programming is necessary for sustained behavioral change. |

Huskey & Associates/DM/JMH/N

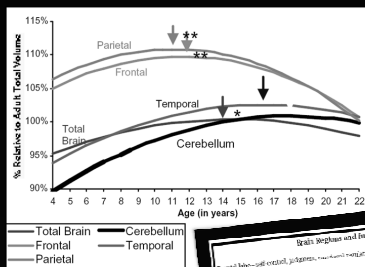
NATURAL PROCESS AND “AGING OUT”

Natural Process and Development ?

Most Young People Age Out of Crime on Their Own



Cerebellar Development for 145 Children and Adolescents (Ages 4-22) Based on 243 Brain MRI Scans



Brain Regions and Functions

Frontal lobe—self-control, judgment, reasoning, personality, organization of motor activity

Temporal lobe—auditory, memory, emotion and self-awareness; perception of time; memory

Parietal lobe—somatosensory, spatial, and self-awareness; perception of time; memory

Cerebellum—motor activity, timing, and coordination; memory

Brain development continues until age 13

Philosophies of Corrections

- One philosophy of juvenile justice is to “get tough” on juveniles and to punish and imprison them or “Nail-um and Jail-um” Another philosophy stresses treatment and rehabilitation or “Hug-um and Heal-

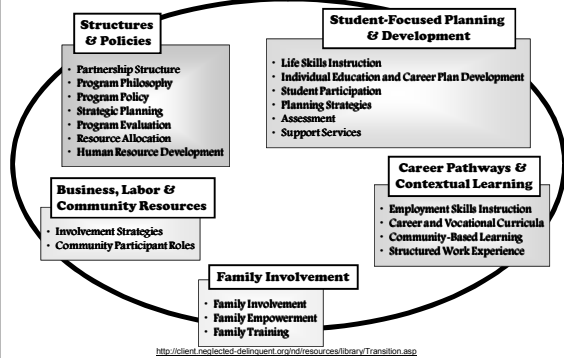


National Issues in Transition

- Transition is nonexistent or an afterthought in most detention or corrections programs
- Most transition is not linked to the public schools
- Many public schools do not want youth returning from detention or corrections
- Many public schools set up roadblocks for youth returning from detention or corrections
- Most youth who have been in detention or corrections do not receive public school diplomas
- Most of what is taught in detention education involves learning splinter skills at best
- Most of what is taught in detention education involves teaching to the middle
- Most education programs in detention and corrections do not offer a comprehensive curriculum
- ARIZONA is a Leader in changing these but more work to do

www.edji.org

The National Transition Alliance (NTA) Transition Practices Framework



How can Probation help

- Collaboration and court support
- System wide changes and support
 - Mesa, West side- Boy/ Girls club
 - Special Needs program info
- transition difficulties
- Secure care facilities help with transition
- plans made in facility to outside agencies after youth leave facility
- We are another parent over the youth and family in helping direct behaviors



QUESTIONS



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